

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

M. SHANKEN COMMUNICATIONS, INC.

SUMMONS IN A CIVIL ACTION

v.

P4 PERFORMANCE MANAGEMENT, INC.,
ANTHONY POMPLIANO JR., VIVIAN ONELLO,
AND STEVE MORTIBOY

CASE NUMBER:

07 CIV 8820

TO: (Name and address of Defendant)

VIVIAN ONELLO
106 Birkhaven Dr.
Cary, NC 27518-8914

JUDGE BAER

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

REED SMITH LLP
ATTN: PETER D. RAYMOND, ESQ.
599 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

OCT 12 2007

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE			
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	<i>10/31/07 9:00 AM</i>	
NAME OF SERVER (PRINT) <i>PATRICK GALVIN</i>	TITLE	<i>PROCESS SERVER</i>	
Check one box below to indicate appropriate method of service			
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served:		<i>105 BROOKS AVE RALEIGH, NC</i>	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.			
Name of person with whom the summons and complaint were left:			
<input type="checkbox"/> Returned unexecuted:			
<input type="checkbox"/> Other (specify):			
STATEMENT OF SERVICE FEES			
TRAVEL	SERVICES	TOTAL \$0.00	
DECLARATION OF SERVER			
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.			
Executed on <u>10/31/07</u> Date	<u><i>Patrick Galvin</i></u> Signature of Server		
<u><i>Po Box 97372</i></u> Address of Server <u><i>RALEIGH, NC 27604</i></u>			

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

LEGAL FILE

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J. MICHAEL MURAHON**OCT 12 2007**

CLERK

DATE

(By) DEPUTY CLERK

NC 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
	OCTOBER 22, 2007	
NAME OF SERVER (PRINT)	TITLE	
PATRICK GALVIN	PROCESS SERVER	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted:		
<small><input checked="" type="checkbox"/> Other (specify):</small> POSTED SERVICE ATTEMPTS MADE ON 10/18/07 6P <small>10-19-07 4PM 10-20-07 8AM & 10:26 AM 10-22-07 POSTED</small> <small>NEIGHBOR WALKING BY SAID SHE LIVES THERE</small>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>10/23/07</u> Date	<u>Patrick Galvin</u> <small>Signature of Server</small>	
<u>Po Box 97372</u> <small>Address of Server</small>		
<u>RALEIGH, NC 27624</u>		

(1) A person who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.